

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DAWN BALL,</b>	:	Civil No. 1:12-cv-815
<b>Plaintiff</b>	:	
	:	<b>(Chief Judge Kane)</b>
<b>v.</b>	:	
	:	<b>(Magistrate Judge Carlson)</b>
<b>LISA D' ADDIO, et al.</b>	:	
<b>Defendants</b>	:	

**ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

On May 4, 2012, Magistrate Judge Carlson issued a Report and Recommendation in which he recommended that Plaintiff's complaint be dismissed without prejudice because the claims raised in the complaint were identical to the claims raised in a prior case. (Doc. No. 7.) Having received no objections, this Court adopted the Report and Recommendation on June 1, 2012. (Doc. No. 11.) The Court cautioned Plaintiff that failure to file an amended complaint would result in the Court directing the Clerk of Court to close the case. (Id.) Although Plaintiff has filed multiple documents in this case since the Court's June 1, 2012 order, she has not endeavored to amend her complaint. On July 10, 2012, Judge Carlson recommended the complaint be dismissed with prejudice. (Doc. No. 20.) In response, Plaintiff filed objections in which she raises issues regarding being confined in a strip cell "on and off" between April and June. (Doc. No. 22.) Upon a review of Plaintiff's complaint, the Court must agree with Judge Carlson's assessment of Plaintiff's claims. Plaintiff's complaint is nothing more than an effort to re-assert claims that have been raised in a prior action. This matter is, in short, a quintessential example of a frivolous complaint.

**ACCORDINGLY**, on this 16<sup>th</sup> day of August 2012, **IT IS HEREBY ORDERED**

**THAT** the Report and Recommendation (Doc. No. 20) is **ADOPTED** and Plaintiff's complaint is **DISMISSED WITH PREJUDICE** as frivolous for failure to state a claim. The Clerk of Court is directed to close the case.

S/ Yvette Kane  
Yvette Kane, Chief Judge  
United States District Court  
Middle District of Pennsylvania